

EXECUTIVE COUNCIL OF IOWA AGENDA

State Capitol - Robert D. Ray Conference Room (G09) 10:00 a.m.

September 17, 2018

1. Approval of minutes of meeting held September 4, 2018.
2. Personal Appearance –
 - A. Christie Templeton, Department of Human Services will be present to request Resolution of Funds in the amount of \$300,000.00 pursuant to Iowa Code §29C.20A with regard to Governor's Proclamation of a State of Disaster Emergency for Black Hawk, Bremer, Buchanan, Franklin, Iowa, Kossuth and Poweshiek Counties.
TAB # 1
 - B. Christie Templeton, Department of Human Services will be present to request Resolution of Funds in the amount of \$140,000.00 pursuant to Iowa Code §29C.20A with regard to Governor's Proclamation of a State of Disaster Emergency for Clinton and Iowa Counties.
TAB # 2
3. Iowa Code §7D.10 – Page 1
TAB #3
4. Outside Counsel – Page 1
TAB #4
5. Outside CPA – Page 1
TAB #5
6. Leases – Page 1
7. Emergency Allocations – Page 2
8. Payment of Cost Items – Page 3 – 5
9. The World Food Prize® - Senate File 478 – Page 5
TAB #6
10. Information Items – Page 6

3. Iowa Code §7D.10

- A. Attorney General's office request Payment for Expenses under Iowa Code §7D.10 in the amount of \$16,000.00.

TAB #3

4. Outside Counsel

- A. The Department of Justice, Attorney General's office requests retention of outside counsel pursuant to Iowa Code section 13.3(1) in *Jeffrey M. Skaggs v. Newton Correctional Facility, State of Iowa and Second Injury Fund of Iowa*, a workers' compensation case filed by a state employee.

Firm: Patterson Law Firm, L.L.P.
Attorney: Ryan Clark
505 5th Avenue
Suite 729
Des Moines, IA 50309
Rate: \$120.00 Per Hour

TAB # 4

5. Outside CPA Firm

- A. Request from Mary Mosiman, Auditor of State to employ the services of outside CPA firms to perform the periodic examinations for the cities listed below for the period ending June 30, 2018

Firm:	Cities:	Amount
Gronewold, Bell, Kyhnn	Arion, Ayrshire, Danbury, Deloit, Fenton	\$16,975.00
Rachelle Thompson, CPA	Bassett, Castalia, Clayton, Elkport, Fort Atkinson	\$13,870.00
Hogan Hansen	Charlotte, Goose Lake, Lamont, Maharishi Vedic City, Maysville	\$18,000.00
	Total	\$48,845.00

TAB #5

6. Leases

- A. Lease between DNR and CF Industries Nitrogen, LLC
Date of Lease: Five years, expiring August 6, 2023
Legal Description: A part of the bed of the Missouri River not to exceed 50' frontage at Missouri River mile 719.1 in Omandi Bend, 100' frontage at Missouri River mile 718.8 in Browsers Bend, and 50' frontage and not exceeding 100' in depth at Missouri River Mile 718.7 in Browsers Bend, set back of existing pile revetment No. 789.7 in Section 23 & 24 Township 87 North Range 48 West of the 5th P.M., Woodbury County, Iowa.
Purpose: Commercial use
Annual Fee: \$2,100.00

Noel Hindt, Assistant Attorney General, has reviewed the above lease and approved the lease as to form.

7. Emergency Allocations

- A. Department of Public Safety is requesting a supplemental emergency allocation in the amount of \$305.31, bringing the total to \$2,981.10, and payment in the amount of \$2,981.10. On May 28, 2018 State Patrol Vehicle #224 was damaged by a fallen tree in Ventura. Request is to cover repair costs.

The State Auditor's Office has reviewed request and recommends allocation and payment. This will represent full and final payment and this allocation will be closed.

- B. Department of Public Safety is requesting an emergency allocation in the amount of \$3,244.47. On August 16, 2018 State Patrol Vehicle #718 was damaged by a deer on Highway 59. Request is to cover repair costs.

The State Auditor's Office has reviewed request and recommends allocation, subject to audit of actual invoices.

- C. Department of Public Safety is requesting an emergency allocation in the amount of \$2,663.45. On August 29, 2018 State Patrol Vehicle #361 was damaged by a deer in Henry County. Request is to cover repair costs.

The State Auditor's Office has reviewed request and recommends allocation, subject to audit of actual invoices.

- D. Department of Public Safety is requesting an emergency allocation and reimbursement in the amount of \$13,876.64. On June 23, 2018 State Patrol Vehicle #211 was damaged by a deer in Van Buren County. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation and payment. This represents full and final payment and this allocation will be closed.

- E. Department of Human Services is requesting an emergency allocation in the amount of \$34,562.01. On July 19, 2018 vehicles #2540, #2005 and #1438 were damaged by a tornado in Marshalltown. Request is to cover repair costs.

The State Auditor's Office has reviewed request and recommends allocation, subject to audit of actual invoices.

8. Payment of Cost Items

- A. Shindler, Anderson, Goplerud & Weese, P.C.....\$1,430.00
5015 Grand Ridge Drive, Suite 100
West Des Moines, IA 50265
Peregrine Financial Group (PFG) Bankruptcy

Jeffrey S. Thompson, Solicitor General has reviewed this invoice and recommends payment. Payment will be made by UNI.

- B. Gray Miller Persh, LLP.....\$1,584.60
1200 New Hampshire Ave., N.W.
Washington, D.C. 20036
Iowa Public Television

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the funds of Iowa Public Television.

- C. Patterson Law Firm L.L.P.....\$828.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Pamela Walter v. University of Iowa, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- D. Patterson Law Firm L.L.P.....\$822.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Kareem A. Duckett v. Mt. Pleasant Correctional Facility, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

E. Patterson Law Firm L.L.P.....\$24.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
James Doorley vs. University of Iowa, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

F. Patterson Law Firm L.L.P.....\$120.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Myra Ball v. Iowa Insurance Division, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

G. Patterson Law Firm L.L.P.....\$150.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Reginald Van Dusseldorp vs. Newton Correctional Facility, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

H. Patterson Law Firm L.L.P.....\$24.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Amy Wearmouth v. Iowa Correctional Institute for Women, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- I. Patterson Law Firm L.L.P.....\$36.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Steven Porter vs. Iowa State Fair, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- J. Patterson Law Firm L.L.P.....\$192.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
Rory Aschbrenner vs. Iowa State University, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

- K. Patterson Law Firm L.L.P.....\$24.00
729 Insurance Exchange Building
505 Fifth Avenue
Des Moines, IA 50309-2390
James Brundies v. Iowa Department of Transportation, State of Iowa and Second Injury Fund of Iowa

Jeffrey S. Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the Second Injury Fund.

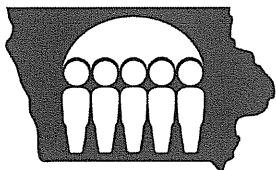
9. World Food Prize - Senate File 478

- A. Mr. Kenneth M. Quinn, Ambassador (ret.) President of The World Food Prize® requests permission for the Foundation to serve wine at the Laureate Award Ceremony reception/dinner to be held at the Iowa State Capitol on October 18, 2018.
TAB # 6

10. Information Items

- A. The Executive Council approved an Emergency Allocation from the Iowa Communications Network on September 4, 2018 for \$11,985.10. On June 27, 2018 ICN sustained cable damage due to erosion along Highway 9 near Lake Park. It was later determined that the land owner had altered a driveway entrance causing the erosion to occur. Iowa Communications Network will not pursue a claim.

The State Auditor's Office has reviewed this request and \$11,985.10 should be reverted and this allocation closed.



Iowa Department of Human Services

Kim Reynolds
Governor

Adam Gregg
Lt. Governor

Jerry R. Foxhoven
Director

Victoria Newton, Executive Secretary
Executive Council of Iowa
State Capitol Building
LOCAL

September 13, 2018

Re: Governor's Proclamation of a State of Disaster Emergency – Request for Funds

Dear Ms. Newton:

On September 2, 2018, a severe storm system in Black Hawk, Bremer, Buchanan, Franklin, Iowa, Kossuth, and Poweshiek Counties caused damage.

Per the Governor's Disaster Proclamation, I am requesting funding for the Iowa Individual Assistance Grant Program (IIAGP) and Iowa Disaster Case Management Grant Program (IDCM) be placed on the Executive Council Agenda for Monday, September 17, 2018. The Iowa Department of Human Services is requesting the Executive Council adopt a Resolution for Funds in the amount of \$300,000.00 to be allocated as follows:

- \$50,000.00 for IIAGP for Bremer and Iowa Counties
- \$30,000.00 for IDCM for Bremer and Iowa Counties
- \$100,000.00 for IIAGP for Black Hawk, Franklin, Kossuth and Poweshiek Counties
- \$50,000.00 for IDCM for Black Hawk, Franklin, Kossuth and Poweshiek Counties
- \$50,000.00 for IIAGP for Buchanan County
- \$20,000.00 for IDCM for Buchanan County

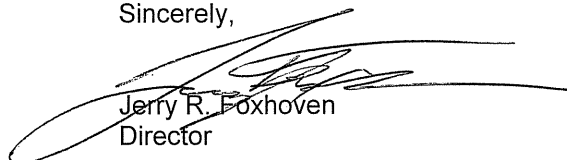
Pursuant to Iowa Code 29C.20A these funds will be distributed to individuals or families to replace/repair items affected by the disaster emergency which cannot be met by other means of financial assistance. Pursuant to Iowa Code 29C.20B funding will be distributed to Disaster Case Management to help individuals or families with unmet needs that were affected by the disaster to establish a recovery plan.

The account coding for the funds to be transferred will be:

<u>Dept</u>	<u>Fund</u>	<u>Appr</u>	<u>Org</u>
401	0391	0000	1905 _ State Only Disaster IIAGP (9/7/18) Bremer and Iowa Counties
401	0391	0000	6017 _ State Only IDCM (9/7/18) Bremer and Iowa Counties
401	0391	0000	1907 _ State Only Disaster IIAGP (9/7/18) Black Hawk, Franklin, Kossuth, and Poweshiek Counties
401	0391	0000	6019 _ State Only IDCM (9/7/18) Black Hawk, Franklin, Kossuth, and Poweshiek Counties
401	0391	0000	1909 _ State Only Disaster IIAGP (9/12/18) Buchanan County
401	0391	0000	6021 _ State Only IDCM (9/12/18) Buchanan County

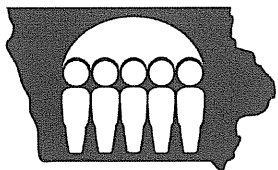
Thank you for your assistance.

Sincerely,



Jerry R. Foxhoven
Director

cc: Vern Armstrong, Department of Human Services
Christie Templeton, Department of Human Services
Harry Rossander, Department of Human Services
Barb DeJoode, Department of Human Services
Robert Beran, Department of Human Services
Trudy Crawford, Department of Human Services
Linda Leto, Department of Management



Iowa Department of Human Services

Kim Reynolds
Governor

Adam Gregg
Lt. Governor

Jerry R. Foxhoven
Director

Victoria Newton, Executive Secretary
Executive Council of Iowa
State Capitol Building
LOCAL

September 13, 2018

Re: Governor's Proclamation of a State of Disaster Emergency – Request for Funds

Dear Ms. Newton:

On August 28, 2018, a severe storm system in Clinton and Iowa Counties caused damage.

Per the Governor's Disaster Proclamation, I am requesting funding for the Iowa Individual Assistance Grant Program (IIAGP) and Iowa Disaster Case Management Grant Program (IDCM) be placed on the Executive Council Agenda for Monday, September 17, 2018. The Iowa Department of Human Services is requesting the Executive Council adopt a Resolution for Funds in the amount of \$140,000.00 to be allocated as follows.

- \$50,000.00 for IIAGP for Clinton County
- \$20,000.00 for IDCM for Clinton County
- \$50,000.00 for IIAGP for Iowa County
- \$20,000.00 for IDCM for Iowa County

Pursuant to Iowa Code 29C.20A these funds will be distributed to individuals or families to replace/repair items affected by the disaster emergency which cannot be met by other means of financial assistance. Pursuant to Iowa Code 29C.20B funding will be distributed to Disaster Case Management to help individuals or families with unmet needs that were affected by the disaster to establish a recovery plan.

The account coding for the funds to be transferred will be:

<u>Dept</u>	<u>Fund</u>	<u>Appr</u>	<u>Org</u>
401	0391	0000	1906_State Only Disaster IIAGP (9/7/18) Clinton County
401	0391	0000	6018_State Only IDCM (9/7/18) Clinton County
401	0391	0000	1908_State Only Disaster IIAGP (9/11/18) Iowa County
401	0391	0000	6020_State Only IDCM (9/11/18) Iowa County

Thank you for your assistance.

Sincerely,



Jerry R. Foxhoven
Director

cc: Vern Armstrong, Department of Human Services
Christie Templeton, Department of Human Services
Harry Rossander, Department of Human Services
Barb DeJoode, Department of Human Services
Robert Beran, Department of Human Services
Trudy Crawford, Department of Human Services
Linda Leto, Department of Management

THOMAS J. MILLER
ATTORNEY GENERAL



1305 E. WALNUT ST.
DES MOINES, IA 50319
Main: 515-281-5164 • Direct: 515-281-5191
Email: Eric.Tabor@ag.iowa.gov
www.iowaattorneygeneral.gov

ERIC TABOR
CHIEF DEPUTY ATTORNEY GENERAL

IOWA DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

September 4, 2018

EXECUTIVE COUNCIL
SEP 5 2018

Ms. Victoria Newton
Executive Secretary
Executive Council
State Capitol
L-O-C-A-L

Re: Request for Payment of SVP Court Costs

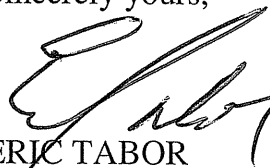
Dear Victoria:

Our Office requests Executive Council approval for payment pursuant to Iowa Code section 7D.10 for court costs and expenses incurred in prosecuting civil commitments under Iowa Code chapter 229A for the Sexually Violent Predator (SVP) program.

In addition to the cost of employee salaries, travel and support devoted to this program, the Office incurs substantial expenses for expert witnesses. These expenses have increased substantially due to the growing number of chapter 229A commitments. Section 7D.10 authorizes payment of court costs and expenses by the Executive Council “[i]f sufficient funds for court costs have not been appropriated to a state department, or if sufficient funds are not otherwise available for such purposes within the budget of a state department.” There is no specific appropriation for these expenses and sufficient funds are not otherwise available.

Therefore, pursuant to Iowa Code section 7D.10, the Office requests Executive Council approval of payment of \$16,000.00 in expert witness fees (invoices enclosed).

Sincerely yours,


ERIC TABOR
Chief Deputy

Encl.

THOMAS J. MILLER
ATTORNEY GENERAL

JEFFREY S. THOMPSON
SOLICITOR GENERAL



IOWA DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL

1305 E. WALNUT ST.
DES MOINES, IA 50319
Main: 515-281-5164 • Direct: 515-281-4419
Email: Jeffrey.Thompson@iowa.gov
www.iowaattorneygeneral.gov

September 12, 2018

Victoria Newton
Executive Secretary
Executive Council
State Capitol
L-O-C-A-L

Re: Retention of Outside Counsel

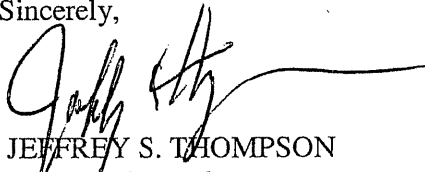
Dear Victoria:

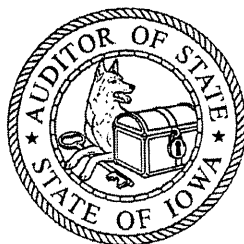
Our office requests appointment of outside counsel pursuant to Iowa Code section 13.3(1) in *Jeffrey M. Skaggs v. Newton Correctional Facility, State of Iowa and Second Injury Fund of Iowa*, a workers' compensation case filed by a state employee. Because the resolution of this claim may turn on whether the State of Iowa or the Second Injury Fund must pay workers' compensation benefits, our office cannot represent both defendants.

In order to avoid a conflict of interest, the Special Litigation Division has contacted Ryan Clark of the Patterson Law Firm, L.L.P., 505 5th Avenue, Suite 729, Des Moines, Iowa 50309-2390, to represent the Second Injury Fund. Mr. Clark has agreed to represent the Second Injury Fund at the rate of \$120.00 per hour. Our office will represent the State of Iowa.

Accordingly, we request Executive Council approval to retain Mr. Clark to represent the Second Injury Fund in this case.

Sincerely,


JEFFREY S. THOMPSON
Solicitor General



OFFICE OF AUDITOR OF STATE
STATE OF IOWA

State Capitol Building
Des Moines, Iowa 50319-0004
Telephone (515) 281-5834 Facsimile (515) 281-6518

Mary Mosiman, CPA
Auditor of State

September 11, 2018

EXECUTIVE COUNCIL

SEP 12 2018

Victoria Newton, Secretary
Executive Council of Iowa
State Capitol Building
LOCAL

Dear Victoria:

I respectfully request permission of the Executive Council to employ the services of the following CPA firms to perform the periodic examinations for the cities listed below for the period ending June 30, 2018 as required in Chapter 11 of the Code of Iowa.

Firm Name	Cities Included in Agreement	Cost
Gronewold, Bell, Kyhnn	Arion, Ayrshire, Danbury, Deloit, Fenton	\$ 16,975
Rachelle Thompson, CPA	Bassett, Castalia, Clayton, Elkport, Fort Atkinson	13,870
Hogan Hansen	Charlotte, Goose Lake, Lamont, Maharishi Vedic City, Maysville	18,000
	Total	<u>\$ 48,845</u>

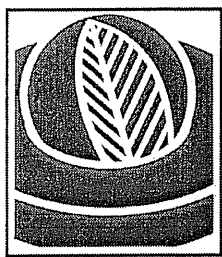
The total reimbursement for the periodic examinations shall not be for more than \$48,845. Copies of the proposed Agreements are attached.

Your assistance in this matter is greatly appreciated.

Sincerely,

Mary Mosiman, CPA

MM/dd
Attachment



THE WORLD FOOD PRIZE[®]

Foundation

Dr. Norman E. Borlaug
1914-2009

John Ruan
1914-2010

John Ruan III
Chairman

Amb. Kenneth M. Quinn
President

Council of Advisors

Hon. George Bush

Hon. Jimmy Carter

H.E. Joaquim Chissano

Margaret Catley-Carlson
UN Secretary General
Advisory Board on Water
Canada

Dr. Zhangliang Chen
Vice President China Association
for Science and Technology

A.S. Clausi
Vice President of Research
General Foods (Retired)

Dr. W. Ronnie Coffman
Director, International Programs
College of Agriculture and
Life Sciences, Cornell University

Sir Gordon Conway
Professor of Intl. Development
Imperial College London

Dr. Louise Fresco
President Wageningen University
Netherlands

Michael Gartner
Pulitzer Prize Winner

Dr. Steven Leath
President, Iowa State University

M. Peter McPherson
President, APLU

Cynthia Milligan
Dean Emeritus
College of Business Administration,
University of Nebraska-Lincoln

H.E. Roberto Rodrigues
Former Minister of Agriculture
Brazil

Yohei Sasakawa
Chairman, The Nippon Foundation

Dr. M.S. Swaminathan
Chairman
Laureate Selection Committee

Date: September 10, 2018

Memorandum to: Executive Council, State of Iowa
The Honorable Kim Reynolds, Governor of Iowa
Hon. Paul D. Pate, Secretary of State
Hon. Michael L. Fitzgerald, Treasurer of State
Hon. Michael Naig, Secretary of Agriculture
Hon. Mary Mosiman, Auditor of State

Subject: Permission to serve wine at World Food Prize Ceremony/Dinner at the Iowa State Capitol on October 18, 2018.

In accordance with action by the state legislature, this memorandum is to officially request permission for the World Food Prize Foundation to serve wine at the reception/dinner which it will host at the Iowa State Capitol of October 18, 2018, as part of its annual Laureate Award Ceremony.

Ever since permission was first given in 2000 for the World Food Prize Foundation to hold its Laureate Award Ceremony and Dinner at the State Capitol, the legislature has each year voted a joint resolution authorizing the serving of wine at the reception / dinner immediately following the ceremony in the Rotunda (with the exception of 2001 and 2002 when the ceremony took place at other locations, due to restoration work being done on the Capitol building).

During the 2009 legislative session, the legislature included language in a bill (Senate File 478) indicating that henceforth this decision should be directed to the Executive Council. That bill became law on July 1, 2009. In accordance with that legislation, we are now forwarding this request to serve wine at our 2018 Ceremony on October 18, to the Executive Council for its consideration and, hopefully, its approval.

Respectfully submitted,

Ambassador Kenneth M. Quinn (ret.)
President